#### **Hot Topics**

#### **RA Dunn Meets with New England Tribal Leaders**

On April 11, Region 1 held its semi-annual Tribal Leaders Summit at the Mashantucket Pequot Tribal Nation in Ledyard, CT. Nearly 30 Tribal and EPA Officials met to discuss environmental challenges and key priorities. The Summit included a tour of the Tribe's wastewater and drinking water facilities. OITA Principal Deputy Assistant Administrator Jane Nishida's attendance was appreciated.

#### Region 1 Takes Action to Cleanup Commercial Property

On April 5, after repeated requests to grant access, Region 1 issued an access order at the Blackburn and Union Superfund Site in Walpole, MA. The access order will allow PRPs to implement a component of site cleanup on commercial property.

#### Region 1 Hosts Coakley Superfund Site Research Update for Local Communities

Region 1 and New Hampshire held a public meeting in Greenland, NH on April 5 to discuss an upcoming bedrock investigation and fish tissue sampling effort. The Coakley Landfill Group also discussed their next overall sampling program to be performed this spring. This overall effort will include surface water, sediment and groundwater sampling of both on-site monitoring wells and residential supply wells.

#### RA Dunn Performs Earth Month River Cleanup and Lead Event in Rhode Island

On April 12, RA Dunn toured and spoke with community members at the Woonasquatucket River Corridor Brownfield Site. Following her site visit she met with various community groups including the Southside Community Land Trust, Groundworks Rhode Island, and the Childhood Lead Action Project to kick off the earth month SoilSHOP lead event.

#### OEI Visit Region 1

During the week of April 9, the OEI Enterprise Quality Management Division conducted the Region 1 Quality System Assessment with the Region 1 Quality Assurance team. The OEI visit was welcomed by the Region.

#### **Upcoming Major Decisions and Events**

#### Region 1 Provides Air Monitoring Support on Marathon Monday

The Boston Marathon is a complex and highly coordinated event and since the Boston Marathon Bombing in April of 2013, EPA Region 1 has been tasked with providing air monitoring support along the race route. On April 16, with assistance from other regions and special teams, Region 1 will provide personnel and equipment necessary to monitor the entire race route.

#### Forbes Farm Draft CAFO Permit

This week, EPA Region 1 anticipates issuing a draft NPDES permit for the Forbes Farm Partnership, a large concentrated animal feeding operation (CAFO) dairy farm with facilities located in Lancaster, NH and Guildhall, VT. This farm houses more than 2800 dairy animals and manages 2,700 acres of cropland. This draft permit was drafted in consultation with New Hampshire, Vermont, U.S. FWS, and the Permittee and will be open for public comment.

#### **Hot Topics**

Chemours/Deepwater, NJ: RA Pete Lopez is working closely with NJ DEP Acting Commissioner Catherine McCabe and her team on requesting that Chemours Company perform additional sampling at the Chambers Works Complex in Deepwater, New Jersey and to develop an action plan that will include proposed further sampling both on and off the facility, and a public outreach strategy. We note that neither EPA nor the NJDEP currently have regulatory or advisory health-based standards for GenX in drinking water. As previously reported, GenX was used at this facility after the phase-out of PFOA. Chemours (successor to DuPont) recently reported that it found GenX in industrial wastewater at the facility, and in the facility's wastewater treatment plant discharge (which enters the Delaware River). On 4/4 we received data from EPA's ORD laboratory regarding samples taken from five nearby residential wells. (ORD's work was in furtherance of a study by NJDEP on PFAS sources.) These five residential samples were reported as non-detect for GenX. Nevertheless, we believe further sampling of residential wells in the surrounding community must be performed.

Hoosick Falls & Dewey Loeffel SF Site Meetings: Kell Kelly joined with RA Pete Lopez, ERRD, ORC, ORA-OSP and PAD, engaging in meetings concerning the St. Gobain Superfund site in Hoosick Falls and the Dewel Loeffel SF site. The meetings were held in concert with NGO's, NYS DEC, NYS DOH and the Village of Hoosick Falls. The meetings included Commissioner level representation from these key stakeholders. The meetings were focused on understanding issues and concerns relative to the two sites and developing a collaborative path forward for addressing said concerns. A key element in both instances will be the formation of community action groups to enhance communications between the regulatory agencies and the affected population.

Limetree Bay Terminal (LBT), St. Croix, USVI, Air Permit Questions: On 4/5 the Assistant Administrator for Air signed EPA's response to questions raised by LBT regarding its plans to restart refinery operations at the facility. EPA concurred that: (1) restarting of the refinery's idled units for the MARPOL Project should not be treated as a new stationary source under the current Reactivation Policy; (2) the MARPOL Project and the Renewable Diesel Fuel Project are independent of each other and therefore separate projects for PSD applicability; and (3) constructing the Single Point Mooring project would be considered a modification to an existing emissions unit rather than a new emissions unit.

Seneca Nation of Indians (SNI): The SNI have formally requested consultation with EPA regarding the proposal by Epiphany, Inc. to construct a facility in Pennsylvania to treat hydraulic fracturing waste. The treated wastewater would be sent for further treatment at the Coudersport Area Municipal Authority (CAMA), which discharges to the Allegany River, upstream of SNI territory. On 4/5 JKLM, the financer for the Epiphany facility, withdrew its funding for the Epiphany project. On 4/9 the CAMA conducted a meeting in which the Board unanimously voted to withdraw all permits and terminate their lease agreement with Epiphany. The SNI plan to host another meeting among the agencies to continue discussions on the hydraulic fracturing industry. Region 2 is awaiting confirmation from Region 3 on the latest development of the Epiphany/CAMA project.

#### **Upcoming Major Decisions and Events**

**Pierson's Creek Superfund Site, Newark, NJ**: Ben Quayle, representing Troy Chemical (a PRP for the site), is scheduled to meet with Regional Administrator Pete Lopez on 4/19.

**PR Visit:** Regional Administrator Lopez will be traveling to Puerto Rico and the U.S. Virgin Islands the week of April 23 to discuss the transition from hurricane response to recovery with our territorial, commonwealth and local partners. Representatives from OMB, as well as HQ, have expressed their intentions to participate in this visit. Region 2 is sharing details of the trip with OMB and HQ as they are developed.

#### **Hot Topics**

# EPA Approves the District's "Good Neighbor" SIP for Sulfur Dioxide

On April 3, 2018, EPA published a final rulemaking notice (FRN) in the Federal Register approving a state implementation plan (SIP) submitted by the District of Columbia. The SIP submittal addresses the Clean Air Act's (CAA) "good neighbor" provisions for the 2010 sulfur dioxide (SO<sub>2</sub>) national ambient air quality standards (NAAQS). EPA determined that the District does not significantly contribute to other states' nonattainment problems or contribute to their maintenance of the NAAQS. EPA received four anonymous comments and responded to them in the FRN. The final rule becomes effective May 3, 2018

#### EPA Denies Connecticut's Clean Air Act Section 126 Brunner Island Petition

On April 6, 2018, EPA Administrator Pruitt signed a notice of final rulemaking denying a Connecticut (CT) petition regarding Brunner Island in York County, Pennsylvania. CT's petition was submitted to EPA under section 126 of the Clean Air Act (CAA). Section 126 allows any state to petition EPA if that state believes a particular source significantly contributes to their state's nonattainment status or interferes with their ability to maintain the national ambient air quality standards (NAAQS). CT believes that Brunner Island significantly contributes to the state's ozone problems and Brunner Island must be controlled further to alleviate CT's ozone problems. EPA denied the petition because CT has not met its burden to demonstrate that the source emits, or would emit, in violation of the CAA; in addition, Brunner Island has recently added the ability to burn natural gas as a fuel source, thus lowering the emissions of concern to CT.

#### Release of Phase III WIP Expectations

EPA plans to issue in mid-April (week of April 16) an expectations document for the jurisdictions' Phase III WIPs to maintain accountability in the work under the 2010 Chesapeake Bay Total Maximum Daily Load (Bay TMDL), encourage continued adaptive management to the new information generated during and after the Bay TMDL 2017 midpoint assessment, and lay the groundwork for implementation of the next generation of innovative practices.

#### Minden, WV

The West Virginia liaison is working with State Senator Stephen Baldwin to help bring more public health resources to bear for the community of Minden and the people of Fayette County. Efforts to arrange a multiagency meeting at the Fayette County Health Department last week have been postponed indefinitely. However, Region 3 did create a momentum that inspired a collaboration between the state's Bureau for Public Health, the Fayette County Health Department and the New River Public Health Association to mount a Health Fair sometime in May. Working now with input and assistance from federal partners HHS and CDC, the Health Fair will kick off a new, multi-agency initiative to address the many health concerns that have plagued the community of Minden for decades.

**Advanced Inspector Training** – This week, OECEJ provided Advanced Inspector Training in Richmond, Virginia at the Virginia Department of Environmental Quality Headquarters Office. The class took place April 10<sup>th</sup> - 12<sup>th</sup>, 2018 and was for inspectors with more than three years of inspection experience

#### **Upcoming Major Decisions and Events**

Regional Administrator Cosmo Servidio has the following activities scheduled:

 ◆ April 16 – 18, 2018 - Region 3 RA Cosmo Servidio will be attending EPA Regional Administrator Forum in Chicago, Illinois

# **Hot Topics**

**BF Goodrich (Calvert City, KY)** -- <u>Key Message:</u> The Region is working towards presenting a recommendation to the Administrator on the final remedy for the site.

# **Upcoming Major Decisions and Events**

#### **Decisions**

None

#### **Events**

**Regional Administrators' Meeting --** April 16-18, 2018, Region 4 Administrator Trey Glenn will participate in the Regional Administrators' Meeting in Chicago, IL. This meeting is closed to the press.

National Rural Electric Environmental Association (NREEA) -- On April 19, 2018, Region 4
Administrator Trey Glenn will deliver remarks at the NREEA Spring 2018 meeting in Lexington, KY. This meeting is closed to the press.

#### **Hot Topics**

## **Enbridge Line 5 Pipeline in the Straits of Mackinac Damaged**

<u>Key Message:</u> A vessel appears to have caused three dents to the pipeline, which is operating normally, and there is no indication that a spill has occurred.

• Enbridge Energy, L.P., the state of Michigan, the Pipeline and Hazardous Materials Safety Administration and the U.S. Coast Guard are working to examine Enbridge Line 5 and determine if the activity in the Straits which damaged the American Transmission Company lines on April 1, 2018, impacted Line 5 at the same time. EPA will work with its state/federal partners to address any damage which occurred. Damage to Line 5 is a major concern for the state of Michigan, federally-recognized tribes in Michigan, as well as various environmental groups. It should be noted that EPA is also monitoring Enbridge's implementation of the requirements in a May 2017 Consent Decree related to the Enbridge Lakehead System, a large pipeline system of which Line 5 in the Straits of Mackinac is a part.

#### **Upcoming Events and Major Decisions**

# Region 5 to Host Ohio Industry Meeting on April 17

<u>Key Message:</u> Region 5 and Ohio EPA senior managers are meeting with several dozen representatives from Ohio industry groups.

• EPA and Ohio EPA management will discuss priorities and goals for the upcoming year and participate in a Q&A session with industry representatives.

#### RA Stepp to Host State Directors Meeting April 18-19

<u>Key Message:</u> Directors/commissioners from all six Region 5 states will be participating either in person or via teleconference.

• EPA and state partners will provide program and priority updates. There will also be significant time devoted to identifying best practices for improved cooperative federalism and coordination on research and response activities concerning PFAS and lead.

#### **Hot Topics**

#### San Jacinto River Waste Pits, Harris County, Texas

On April 9, 2018, EPA finalized an Administrative Order on Consent (AOC) with International Paper Company and McGinnes Industrial Maintenance Corporation to perform the Remedial Design (RD) for the site selected remedy. The estimated \$115 million selected cleanup action addresses the potential dangers posed by dioxin contamination in Harris County, Texas. The RD work is valued at \$4.3 million.

#### Bird Creek, Osage County, Oklahoma

EPA has recommended excavation of two suspected areas near a northern monitoring station in the creek and that the companies properly plug any abandoned wells found. EPA continues to assess options for future monitoring including shallow ground water monitoring and surface water monitoring solutions by the Respondents. EPA has filed an unopposed Motion for Extension of Time through June 5, 2018. Jireh Resources served the complaint on April 3, 2018. It is expected that Novy/Grayhorse will serve their complaint in the near future.

#### **Upcoming Major Decisions and Events**

# Illinois River Watershed/Lake Tenkiller, Oklahoma

On April 16, Region 6 intends to release the Illinois River Watershed Basin and Lake Tenkiller models to the partnering agencies for use. The EPA partnered with Arkansas, Oklahoma and the Cherokee Nation to develop the robust, science-based water quality models.

#### **Texas Regional Haze FIP Petition**

Region 6 intends to transmit a letter to the Administrator for signature in response to a petition for reconsideration regarding Regional Haze BART in Texas, announcing our intention to propose a new Texas Regional Haze FIP for BART.

#### **DFW 2008 Ozone NAAQS Attainment Demonstration**

Region 6 intends to propose approval of the Dallas/Fort Worth 2008 NAAQS Attainment Demonstration by April 25. The publication will start a 30-day public comment period.

## St. James Parish, Louisiana Yuhuang Chemical Plant Title V Permit Petition

Region 6 intends to deny two petitions requesting that the EPA object to a title V permit issued to the Yuhuang Chemical Plant, St. James Parrish, Louisiana. All of the claims were denied because the Petitioners failed to demonstrate that the permit does not contain adequate monitoring to assure compliance with applicable requirements. Target date for this action is April 30.

# 2015 Ozone Final Designation, Baton Rouge, Louisiana

Once the exceptional event demonstration for Baton Rouge, Louisiana is approved, the Administrator may designate Baton Rouge as attainment for the 2015 ozone NAAQS on April 30. EPA may also consider LDEQ's request for a one-year extension on Baton Rouge's designation.

#### **Additional Events**

- April 16 -- Press Release: Illinois River/Lake Tenkiller Water Quality Models
- April 20 -- EarthX Earth Day event, Dallas, Texas

#### **Hot Topics**

#### West Lake Landfill (Bridgeton, MO)

<u>Key Message</u>: Region 7 continues coordination and preparation work during the ongoing public comment period on the Proposed Plan for the West Lake Landfill Superfund Site.

- The region continues to work on drafting portions of the draft Record of Decision Amendment during the ongoing public comment period on the Proposed Plan which closes on April 23.
- This week the region participated in an Incident Management Planning meeting with representatives from the landfill and local responders to discuss first responder actions if emergency assistance is needed at the landfill.
- The region also held a coordination call this week with the Missouri Department of Natural Resources to discuss ongoing project matters. MDNR's comments on the draft Administrative Settlement Agreement and Order on Consent for the Remedial Investigation / Feasibility Study for Operable Unit 3 have been resolved and the document has been sent to the Department of Justice for review. Once DOJ reviews, the ASAOC will be transmitted to the potentially responsible parties to initiate formal negotiations. MDNR has also submitted formal comments on the Proposed Plan.
- This week the region is also providing a site update to local officials of Maryland Heights, a suburb located south of Bridgeton. In addition to responding to questions from city officials, the region will provide information on the Superfund process, site characteristics, and current/future site actions.

#### Northwestern Metals Site Time-Critical Removal Start (Lincoln, NE)

<u>Key Message:</u> A Superfund removal action is being initiated to address elevated lead levels at residential properties in Lincoln, NE.

- The Northwestern Metals Site was referred to EPA by the state of Nebraska to assess residential properties near a former smelter in Lincoln, Nebraska. The original smelter ceased operations in the 1960s and the site is now occupied by the University of Nebraska.
- After assessing a number of these properties, EPA is initiating a Superfund removal action to address elevated residential lead levels in soil on the properties. EPA will have a public availability session in Lincoln on April 17 and plans to begin residential yard lead remediation the week of April 30.

#### Three Superfund Site Five-Year Reviews Completed

<u>Key Message:</u> Five-Year Reviews have been completed at the Des Moines TCE, John Deere Ottumwa Works, and Mason City Coal Gasification Plant Superfund Sites.

- The sixth Five-Year Review for the Des Moines TCE Superfund site was completed on April 4. The potentially responsible party and Iowa Department of Natural Resources participated with EPA in a site visit for the review and IDNR provided comments on the draft report. The review determined the remedy to be not protective due to ecological risk associated with the South Pond Area in OU4 and recommended that remedial alternatives to address the ecological risk be evaluated.
- The fifth Five-Year Review for the John Deere Ottumwa Works Superfund Site was completed April 4. The review determined that the site remedy, which includes institutional/engineering controls and groundwater and surface monitoring, is still protective of human health and the environment. Environmental covenants remain in place to prevent land use change.
- The third Five-Year Review for the Mason City Coal Gasification Plant Superfund site was completed April 3. The review concluded that a remedy protectiveness determination could not be made until

further sampling information is obtained to determine if the site is impacting sediment and receptors in the area. It is expected that these actions will take two to three years to complete, at which time a protectiveness determination will be made. IDNR reviewed the draft report and did not have any comments or recommend any changes.

#### **Upcoming Major Decisions and Events**

#### Office of Pesticide Programs Director Visit to Region 7

Key Message: On April 13, Rick Keigwin, Director of EPA's Office of Pesticide Programs, will visit Region 7.

- Mr. Keigwin will discuss issues/questions associated with atrazine re-registration during a meeting with the Region 7 regional administrator and a group of stakeholders from the Iowa Farm Bureau and the Corn Grower Associations in Kansas, Missouri, and Nebraska.
- He will also meet with pesticide program staff and state partners to discuss current pesticide regulatory and policy issues of interest.

#### Presentation of Superfund Redevelopment Initiative Reuse Awards in Dubuque, IA

<u>Key Message</u>: On April 19, Regional Administrator Jim Gulliford and the Region 7 Superfund division director will present the Leading Environmentalism and Forwarding Sustainability awards to two recipients in Dubuque, IA- John Deere and the City of Dubuque.

#### **Hot Topics**

#### Administrative Orders issued to address drinking water violations in Wyoming

During the week of April 9, R8 issued orders to the Wyoming Department of State Parks and Cultural Resources regarding the Fort Fetterman State Historic Site Public Water System in Converse County, and to the Brush Creek Ranch Public Water System in Carbon County to address Safe Drinking Water Act violations. The Fort Fetterman Public Water System failed to monitor total coliform bacteria and failed to complete corrective actions of sanitary defects, or notify the EPA of the corrections. The Brush Creek Ranch Public Water System failed to monitor for nitrates and total coliform, and failed to complete a Level 1 assessment to identify potential causes of the positive samples.

# Meetings held with stakeholders, community, state and local government officials regarding the Anaconda and Silver Bow Creek/Butte Area Superfund sites

On April 9-11, 2018, RA Doug Benevento and Senior Advisor to the Administrator, Kell Kelly participated in meetings with representatives of Anaconda Deer Lodge County, Butte-Silver Bow County Council of Commissioners, the State of Montana, and community members in Anaconda and Butte, Montana. The meetings focused on specific actions needed to make progress on the Administrator's Special Emphasis Superfund sites in Butte and Anaconda.

#### **Upcoming Major Decisions and Events**

# R8 Hosting Training Workshops for Small Non-Community Drinking Water Systems and Water Utility Operators

On April 17-19, R8 is hosting two trainings for water operators in Casper and Sheridan, Wyoming targeted to the needs of transient water systems, such as campgrounds, lodges, rest stops and other non-community facilities with their own water source. These small systems typically have the most difficulty complying with regulations. R8 is also presenting on Safe Drinking Water Act compliance at the Wyoming Association of Rural Water Systems (WARWS) semi-annual conference and will staff a booth at the conference to answer questions and provide additional one-on-one information to water operators.

#### **Hot Topics**

- California Wildfire Response: FEMA has extended our mission assignment to cover asbestos removal at 20+ properties. Next week, we will honor the hundreds of staff who contributed to this unprecedented response with an informal ceremony.
- CAA 112r Referral: With advance notice to OECA AA Susan Bodine, we forwarded our proposed CAA 112r referral against Apache Nitrogen (also an NPL site) in Arizona for their ammonia releases and lack of safety and maintenance measures at this plant.
- **Tribes:** We hosted our quarterly Tribal Operations Committee meeting, drawing over 100 participants. The nature of EPA consultation continues to be a topic of concern among tribal leaders. We sent letters to the chairmen of the Walker River and Yerington Paiute Tribes summarizing our consultation over the past 18 months on the NPL deferral of the Anaconda (NV) site, now under State lead with the PRP.
- **CWA 404:** The Arizona state legislature has authorized the AZ Dept. of Environmental Quality to pursue CWA 404 program authorization.
- **Program Assumption:** ADEQ will determine if program assumption is feasible and with our technical assistance, plans to submit a package one year hence.
- **Mexican Border:** We participated in the Customs & Border Patrol's wastewater initiative 3-day event on how to reduce CBP agents' exposure to sewage and chemicals. We discussed infrastructure and options for wastewater collection, water-quality monitoring, and remote sensing.
- **Agent Orange:** We joined HQ in a GAO exit conference on use of agent orange defoliant on U S military bases. Per a commitment from the EPA Administrator to the Governor of Guam, we've been assisting GovGuam with environmental sampling at Anderson Air Force Base on Guam.
- **OGC:** We welcomed Matt Leopold for his first visit to Region 9 as he met with managers, staff, the Regional Counsel and the Acting Regional Administrator.

#### **Upcoming Major Decisions and Events**

 CAA New Source Review: The Acting Regional Administrator plans to sign a Federal Register notice finalizing approval of revisions to Arizona's PSD and nonattainment NSF permitting programs for major sources.

#### **Hot Topics**

None to report this week.

#### **Upcoming Major Decisions and Events**

Region 10 Hosts Public Celebration for Completion of Major Landfill Cleanup and Creek Restoration (WA): On April 19th EPA Region 10 will host a public and press event celebrating the completion of a major (\$40M) cleanup and creek restoration and at the Gorst Creek-Bremerton Landfill site near Port Orchard, WA. EPA is co-hosting this event with the Suquamish Tribe, the U.S. Navy, Washington Department of Fish and Wildlife and Kitsap County. Event speakers include Region 10 Deputy Regional Administrator, Suquamish Tribal Chairman, Navy Kitsap Base Commander and a Kitsap County Commissioner. The cleanup and restoration of this critical salmon and wildlife habitat included removal of more than 340,000 tons of debris, garbage and hazardous materials in 10,000 truckloads. The cleanup will result in much improved water quality and improved habitat as well as greater safety along the adjacent highway which was affected by flooding and landslides from the poorly managed historic landfill.

Region 10 Participates in Lake Roosevelt Forum (Spokane, WA): On April 24th, Region 10 staff will attend the Lake Roosevelt Forum Conference and present on the ongoing Remedial Investigation and Feasibility Study for the Upper Columbia River Site. EPA's presentation will include an overview of ongoing studies and planned field work associated with the ecological and human health risk assessments for the site. Conference attendees include local, state, tribal and federal agencies, elected officials, natural resources managers, conservation districts, chambers of commerce, Canadian government representatives, interested citizens, property owners, recreation groups, and others.

Region 10 to Issue *Draft* NPDES Permits in Idaho for Public Review: During the weeks of April 16 and 23, EPA Region 10 expects to issue *draft* NPDES permits for the Wastewater Treatment Plants for the cities of Harrison and Kendrick, Idaho. Harrison is a small community on Lake Coeur d'Alene in northern Idaho. This permit was last issued in 2005 and has been operating under an administratively extended permit. Kendrick is a small publicly owned treatment works which discharges to the Potlatch River in Latah County, Idaho. Both permits will be available for 30-day public comment periods.

**Region 10 Set to Issue Several** *Final NPDES Permits:* Region 10 expects to issue *final NPDES permits* to the following facilities during the last two weeks of April:

- The Pacific Northwest National Laboratory Tracer Injection Project permit. The PNNL Tracer Injection
  Project is designed to investigate biogeochemical transport and microbiological processes in the
  Columbia River at the southern end of the Hanford Site. This project is funded by the U.S. Department
  of Energy's Office of Science. No comments were received during the public comment period ending
  March 30, 2018.
- City of Mackay, Idaho Waste Water Treatment Plant NPDES Permit. Region 10 has received final Clean Water Act 401 certification from the State of Idaho for this permit. This is a small publicly owned treatment works which discharges to the Big Lost River. This draft permit contains limitations consistent with waste load allocations found in TMDLs for the Big Lost River.
- City of Pierce, Idaho Waste Water Treatment Plant NPDES Permit. This permit will authorize the discharge from the City of Pierce's wastewater treatment facility to Orofino Creek, which is a tributary

of the Clearwater River. The City of Pierce permit was drafted by Idaho DEQ staff as part of a joint capacity development project being conducted between EPA and the State of Idaho as the state works to take on the permitting program.

• Region 10 also provided general permit coverage to the State of Idaho for remediation activities with a surface water discharge at the Sandpoint Gas-N-Go in Sandpoint, Idaho.

# Office of Administration and Resources Management

#### **Hot Topics**

#### Former Volkswagen General Manager Debarred for 8 Years

Following a contest of the proposed debarment, the EPA Suspension and Debarment Official issued a decision debarring Oliver Schmidt, the former General Manager in charge of the Environment and Engineering Office of Volkswagen Group of America, for eight years. The debarment, issued on March 29, 2018, is based on Mr. Schmidt's conviction for one count of Conspiracy to Defraud the U.S., to Commit Wire Fraud, and to Violate the Clean Air Act, in violation of 18 U.S.C. § 371, and one count of violating the Clean Air Act, 42 U.S.C. § 7413(c)(2)(A).

#### **DYNO NOBEL, INC Receives Notice of Suspension**

On April 27, 2018, the EPA Suspension and Debarment Official issued notices of suspension to DYNO NOBEL, INC and DYNO NOBEL HOLDINGS USA INC, related companies in the explosives manufacturing business. DYNO NOBEL, INC has had multiple contracts with various federal departments, including Justice, Interior, Agriculture, and Homeland Security. The suspensions are based on a criminal Bill of Information and a Plea Agreement in which DYNO NOBEL, INC was charged with, and admitted to, one CERCLA count of failing to immediately notify the National Response Center as soon as Respondent had knowledge of non-permitted releases of a reportable quantity of anhydrous ammonia (over 6 tons in this case) from its Saint Helens Plant in Oregon. The suspension imposes an immediate exclusion from receiving federal contracts and covered transactions to protect the public interest pending completion of legal proceedings.

#### **Alabama Officials Receive Notice of Suspension**

On April 27, 2018, the EPA Suspension and Debarment Official issued notices of suspension for causes based on state criminal charges filed against three individual defendants allegedly involved in the violation of Alabama ethics laws. Ms. Sherry Welch Lewis served as the President of the Board of Directors of the Water Works Board of the City of Birmingham, Alabama, Mr. Terry Lee Williams is the mayor of Mount Vernon, Alabama, and Mr. Jerry Dewayne Jones was the Vice President of an engineering firm that performed work for the Birmingham Water Works Board. The suspensions impose an immediate exclusion from receiving federal contracts and covered transactions to protect the public interest pending completion of legal proceedings.

#### **Upcoming Major Decisions & Events**

#### **Grants Management Officers Workshop**

During the week of April 16, 2018, the Office of Grants and Debarment is holding a week-long training workshop for Grant Management Officers. The workshop will provide comprehensive sessions that are designed to train and reinforce a cohesive understanding of grant operations, grant policy, and provide GMO's access to resources that enable them to work more effectively and efficiently within their grant offices and ensure more consistency across the grants management community.

#### Office of Air and Radiation

#### **Hot Topics**

# **Tracking SIP Actions:**

- Total Number of SIPs submitted to Regions in FY 2018: 145
- Total Number of SIP Submittals with Final Action taken by the Regions in FY 2018: 109
- Total Number of Pending SIPs: 748

# **Upcoming Packages for the Administrator's Signature:**

- Notice of Guidance and a Stakeholder Meeting Concerning the Significant New Alternatives Policy (SNAP) Program
- National Emissions Standards for Hazardous Air Pollutants (NESHAP): Friction Materials Manufacturing Facilities Risk and Technology Review (RTR)
- NESHAP: Surface Coating of Wood Building Products RTR
- Revision to the Regulatory Definition of Volatile Organic Compounds Exclusion of cis-1,1,1,4,4,4-hexafluorobut-2-ene (HFO-1336mzz-Z)
- NESHAP: Surface Coating of Large Appliances; Printing, Coating, and Dyeing of Fabrics and Other Textiles; and Surface Coating of Metal Furniture RTR
- Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Commercial and Industrial Solid Waste Incineration Units; Technical Amendments

#### **Upcoming Major Decisions and Events**

- **ENERGY STAR:** On April 20<sup>th</sup>, EPA and DOE will host the annual ENERGY STAR Partner of the Year Awards for 2018, honoring 163 ENERGY STAR partners for their outstanding contributions to public health and the environment. The awards will be presented in Washington, D.C. at the Washington Hilton Hotel.
- American Bar Association Section of Environment, Energy, and Resources (SEER) Spring Conference: Bill will be in Orlando next Thursday morning April 19<sup>th</sup> to give the keynote at the SEER Spring Conference.

# Office of Chemical Safety and Pollution Prevention

# Important Deadlines

Row	Determination Type	Pending on 4/10/2018	Determinations Completed¹ as 4/10/2018	Determinations Posted on the Website as of 4/10/2018 <sup>6</sup>
1	# of "not likely" determinations	1	122 <sup>4</sup>	122 <sup>4</sup>
2	# of §5(e) Orders signed by both EPA and the submitter	-	344	343
3	# of §5(e) Orders signed by EPA and awaiting submitter signature	42	-	-
4	# of non-Order SNURs/"not likely" determinations	0	0	0
5	# of cases in post-FOCUS final determination development <sup>5</sup>	345 <sup>3, 5</sup>	•	-
6	# of cases flagged for in-depth review	45	-	•
7	# of PMNs, SNUNs and MCANs awaiting FOCUS (within 90-day review)	19	-	-
8	# of LVE/LOREX exemption grants	-	562	556
9	# of LVE/LOREX exemption denials	-	120	120
10	Total number of cases	452	1148	-
11	Normal active workload for the New Chemicals Program	300	-	-
12	Number of cases undergoing testing or data development by submitter	743	-	-
13	Backlog <sup>2</sup>	78	-	-

<sup>&</sup>lt;sup>1</sup>"Determinations Completed" means that EPA has completed its reviews on these cases and that final determinations have been made by EPA under TSCA section 5(a)(3).

<sup>&</sup>lt;sup>2</sup> (Total number of cases) – (Normal active workload for the New Chemicals Program) - (Number of cases undergoing testing or data development) = Backlog

<sup>&</sup>lt;sup>3</sup> Of these cases, approximately 72 are "active" lung toxicity cases that are suspended while submitters either conduct or are deciding whether to conduct testing to develop data on pchem properties, exposures and toxicity.

<sup>&</sup>lt;sup>4</sup> "Not Likely" determinations are not posted until the final signed determination document is prepared and has been shared with submitter.

<sup>&</sup>lt;sup>5</sup> These cases are those for which Post-FOCUS work is underway to develop: not likely determinations; non-Order SNURS coupled with not likely determinations; or section 5(e) or 5(f) Orders. When the OPPT Office Director decides which of these regulatory paths to follow, the case is moved to: Row 3 when the section 5(e) or 5(f) Order is sent to the submitter for signature; Row 4 when the SNUR is published and the not likely determination document is signed; and Row 1 when the determination document is sent to the OPPT OD for signature.

<sup>&</sup>lt;sup>6</sup> These are all only final determinations posted on the web: grants and denials

#### **Hot Topics**

**TSCA Inventory Update.** On April 12, OCSPP released the public version of the April 2018 Toxic Substances Control Act (TSCA) Chemical Substance Inventory. This version serves as the Agency's regular update of the inventory that occurs approximately every six months. For the first time, this version includes a field designating which chemical substances were "active" in U.S. commerce. This update includes 38,304 chemicals designated as "active" in U.S. commerce. Under TSCA, as amended by the Frank R. Lautenberg Chemical Safety for the 21st Century Act, EPA is required to update the TSCA Chemical Substance Inventory by designating every substance on it either "active" or "inactive" in U.S. commerce.

**Draft Policy to Reduce Animal Testing for Skin Sensitization.** On April 10, OCSPP released a draft Science Policy to reduce the use of animals in testing chemicals to evaluate whether they cause an allergic reaction, inflammation or sensitization of the skin. Given the substantial scientific evidence and international activities supporting the new methodologies for skin sensitization testing, EPA will begin accepting these approaches immediately under the conditions described in the draft policy document. The draft policy is open for public comment until June 9, 2018.

#### **Upcoming Major Decisions and Events**

**TSCA Problem Formulation Documents.** The Office of Pollution Prevention and Toxics will be releasing for interagency review the draft problem formulations for the first 10 chemicals undergoing risk evaluations as required under the amended TSCA statute.

# Office of the Chief Financial Officer

# **Hot Topics**

OCFO and OCIR are reviewing fact sheets and working with headquarters and regional offices to finalize
the supporting materials for the Administrator's hearings on EPA's FY 2019 President's Budget Request to
Congress. The HAC and HEC hearings are scheduled for April 26 and the SAC hearing is scheduled for May
16.

#### **Upcoming Major Decisions and Events**

- OCFO plans to submit the FY 2018 Operating Plan to OMB for review on April 16. OMB has reported that
  they are preparing a proposal to rescind some FY 2018 funds that were included in the Omnibus bill. At
  this time, OMB has not shared any details so we do not know if EPA will be impacted.
- The E-Enterprise Leadership Council will meet face-to-face April 18-19, 2018, in Chicago, IL. The EELC will focus on several E-Enterprise work areas aligned with the agency's strategic plan and priorities, such as shared services, business process improvement and permitting. The EELC also will receive updates on several key E-Enterprise projects: e-permitting return on investment calculator, the community inventory platform, Quality Assurance Project Plans (under development), and advanced monitoring.

# Office of Congressional and Intergovernmental Relations

# **Hot Topics**

**April 18 –** Senate Committee on Environment and Public Works - Hearing entitled, State and Federal Roles in Protecting Groundwater (No EPA witness)

#### **Upcoming Major Decisions and Events**

- Week of April 16 -- Congressman Peters (CA) staff TA re: Point Loma WWTP legislation with OW
- April 18 -- HTI staff briefing on water budget issues with OW
- April 19 -- EPA to meet with Abilene, TX, Mayor Williams to hear updates of the city's Cedar Ridge Reservoir project
- April 20 -- Cong. Lipinski (IL) staff TA re: great Lakes sewage dumping legislation with OW
- Week of April 23 -- Notification of first WIFIA loan closing for King County, WA with OW
- April 27 -- EPA to meet with Kalispell, MT local officials to discuss concerns including the Lead and Copper Rule, UIC Class V Wells, and Emerging Contaminants
- **TBD** -- Briefing for Senate and Environment and Public Works Committee staff on the Office of Land and Emergency Management

# Office of Enforcement and Compliance Assurance

#### **Hot Topics**

#### Town of Ticonderoga Agrees to Bring Drinking Water System into Compliance

April 12, 2018, DOJ, EPA, and the state of New York announced that the Town of Ticonderoga, New York has entered into a consent decree to bring the town into compliance with the federal Safe Drinking Water Act and Part 5 of the New York State Sanitary Code. The town has been out of compliance with a federal Safe Drinking Water Act regulation called the Long Term 2 Enhanced Surface Water Treatment Rule (LT2). Specifically, the system does not have proper treatment for Cryptosporidium. Under the terms of the agreement, Ticonderoga will switch the source of about half of the drinking water it provides to a groundwater source and will install a storage tank to ensure a clean and protected water supply—projects that will cost approximately \$13 million. The settlement also includes two supplemental environmental projects to create a notification program for emergencies and to establish a pharmaceutical take-back program.

## Amendment to Clean Water Act Settlement with Hamilton County, Ohio

April 5, 2018, DOJ, on behalf of EPA, the state of Ohio, and the Ohio River Valley Sanitation Commission, lodged an amendment to a global combined sewer overflow (CSO)/sanitary sewer overflow (SSO) consent decree with Hamilton County, Ohio and the City of Cincinnati. The amendment is the latest in a series of modifications that have occurred since the settlement was initially entered in 2004. The amendment provides a one-year extension from June 2017 to June 2018 for Hamilton County and Cincinnati to submit a schedule for the second phase of the remaining CSO and SSO work (estimated at \$2.3 billion). The amendment also provides for implementation of a one-year "bridge schedule" of projects worth approximately \$49 million during 2019.

#### **Discussion on DOE Superfund Sites**

On April 10, 2018, OECA's Federal Facilities Enforcement Office and OLEM's Federal Facilities Restoration and Reuse Office had an all-day "Dialogue" with the Environmental Council of the States (ECOS) and the Department of Energy (DOE) to discuss Superfund issues at DOE sites, which are some of the most complicated cleanup sites in the country. These recurring EPA, DOE and ECOS Dialogues focus on how EPA, DOE, and states can partner to expedite cleanup at DOE sites.

#### **Upcoming Major Decisions and Events**

- On April 17, 2018, OECA DAA Patrick Traylor will address the GPA Midstream convention in Austin, Texas on EPA's enforcement priorities, the rule of law, and cooperative federalism.
- On April 19, 2018, OECA AA Susan Bodine, OECA PDAA Larry Starfield, and OECA DAA Patrick Traylor
  will travel to EPA Region 6 to meet with the RA/DRA and senior enforcement managers in Region 6 to
  discuss enforcement and compliance priorities and issues.
- On April 19, 2018, the Director of OECA's Office of Site Remediation Enforcement will be speaking about the Superfund Task Force at the American Bar Association Section of Environment, Energy, and Resources' Spring Conference in Orlando, Florida.
- On April 20, 2018, OECA AA Susan Bodine will be the keynote speaker for a panel on "The Future for Sustainable and Ethical Corporate Decision-Making" during the EarthX law and policy symposium in Dallas, Texas.

# **Office of Environmental Information**

No report for OEI this week

#### Office of General Counsel

#### **Hot Topics**

- Envtl. Law & Policy Ctr. v. EPA, No. 3:17cv1514 (N.D. Ohio). New development: On April 11, 2018, the district court issued a decision denying a motion for summary judgment by the Environmental Law & Policy Center in its challenge to EPA's approval of Ohio's 2016 303(d) List. EPA approved the State's 2016 List in full on May 19, 2017, and Plaintiffs filed suit alleging that EPA's approval was arbitrary and capricious with respect to the open waters of Lake Erie, which Plaintiffs allege are impaired by nutrient-related harmful algal blooms. On January 12, 2018, EPA notified the State by letter that it was withdrawing its approval with respect to Lake Erie. The court's decision rejected Plaintiffs' argument that EPA's Jan. 12 letter was a disapproval triggering EPA's duty to identify the open waters of Lake Erie as impaired, and instead directs EPA to approve or disapprove the State's List by May 11 and, if disapproved, identify any additions to the State's List within another 30 days.
- New York v. EPA, No. 1:18-cv-773 (D.D.C). New development: On April 5, 2018, fourteen states and two cities brought an unreasonable delay action against EPA alleging that EPA unreasonably delayed in issuing emission guidelines to address methane emissions from oil and gas existing sources. The plaintiffs are: New York, California, Connecticut, Illinois, Iowa, Maine, Maryland, New Mexico, Oregon, Rhode Island, Vermont, Washington, the Commonwealths of Massachusetts and Pennsylvania, the District of Columbia, and the City of Chicago.

#### <u>FOIA</u>

- Hall & Assocs. v. EPA, No. 16-5315 (D.C. Cir.). New development: On April 9, 2018, the D.C. Circuit Court affirmed the district court's rulings that: (1) EPA's response to the first of Appellant's eight FOIA requests was adequate; (2) Appellant's remaining seven FOIA requests were improper because EPA would have been required to undertake research, analysis, and formulate opinions to respond; and (3) Hall was not entitled to attorneys' fees (\$200,000 requested) because the Agency's positions in regard to the eight FOIA requests at issue were correct as a matter of law.
- Five new FOIA lawsuits were filed April 5-9, 2018 (all D.D.C.), all alleging EPA failed to respond to FOIA requests:
  - EIP v. EPA, No. 1:18cv796, seeking records related to 33 meetings purportedly attended by Administrator Pruitt to discuss the proposed repeal and changes to the "Waters of the US" rule.
  - o *NRDC v. EPA*, No. 1:18cv794, seeking records related to Michael Dourson's involvement in EPA's evaluation of methylene chloride, N-methylpyrrolidone, and/or trichloroethylene.
  - Gov't Accountability Project v. EPA, No. 1:17cv789, seeking records referencing "gag order," "red team" and "blue team," and "critiquing climate change."
  - Campaign for Accountability v. EPA, No. 1:18cv783, seeking communications between anyone in the Office of Administrator and the Oklahoma Attorney General's office, and certain communications concerning the Tar Creek superfund site.
  - Pub. Employees for Envtl. Responsibility v. EPA, No. 1:18cv772, seeking all internal and external communications with any news media representatives concerning Dr. Southerland.
     Page [ PAGE ] of [ NUMPAGES ]

#### Office of International and Tribal Affairs

# **Hot Topics**

#### International Recognition of Pollution Exposure as Health Risk Factor

EPA (OITA/OAR) have been working with the World Health Organization (WHO) and Department of Health and Human Services to elevate recognition and action on pollution exposure, especially air pollution, as a primary risk factor for non-communicable diseases (NCD) in the context of the U.N. Global Action Plan on the Prevention and Control of NCDs. Currently WHO identifies four main "behavioral" risk factors (tobacco use, poor diet, excessive alcohol consumption and inadequate physical activity). However, WHO data shows that air pollution is on par with, or significantly exceeds, three of these four risk factors in terms of NCD deaths globally. OITA has learned that air pollution will likely be added as the fifth main risk factor into the Global Action Plan on NCDs, and discussed at the upcoming United Nations General Assembly meeting and WHO's first International Conference on Air Pollution in Health.

#### Interagency Call with Morocco on Environmental Cooperation

EPA (OITA) participated in an interagency call with the Moroccan Ministry of Energy, Mines and Sustainable Development to discuss the draft Plan of Action in preparation for the postponed US-Morocco Free Trade Agreement Environmental Cooperation Mechanism (ECM) Meeting. The discussion was helpful in clarifying Morocco's environmental priorities under the draft Plan of Action, which will be discussed at the ECM Meeting now tentatively planned for May 10-11 in Rabat, Morocco.

#### **Upcoming Major Decisions and Events**

**UN Permanent Forum on Indigenous Issues** – OITA PDAA will represent EPA at the UN Permanent Forum on Indigenous Issues on April 17 in New York City. The theme of this year's Forum will focus on Indigenous Rights to Lands, Territories and Natural Resources.

International Environmental Education – OITA will meet with the UN International Environmental Technology Center and Foundation of Environmental Education on April 18 to discuss global efforts to promote environmental education through the Global Environmental Education Partnership (GEEP).

# Office of Land and Emergency Management

Documents Submitted to OFR from April 2 - April 10, 2018

FRL	Title	Date to OFR
9975-97-OCSPP	Product Cancellation Orders: Certain Pesticide Registrations and Amendments to Terminate Uses; Correction	
9975-77-OCSPP	Sulfentrazone; Pesticide Tolerances	4/10/2018
9975-76-OCSPP	Fluensulfone; Pesticide Tolerances	4/10/2018
9975-55-OCSPP	Pesticide Maintenance Fee: Product Cancellation Order for Certain Pesticide Registrations	4/10/2018
9976-81-Region 4	Air Plan Approval; Tennessee; Revisions to Stage I and Stage II Vapor Recovery Requirements	4/10/2018
9976-85-ORD	Availability of the IRIS Assessment Plan for Ammonia and Ammonium Salts: Noncancer Assessment for Oral Exposure	4/10/2018
9976-64-Region 6	Louisiana; Regional Haze State Implementation Plan; Petition for Reconsideration	4/10/2018
9976-76-OW	Notice of Availability of the Deepwater Horizon Oil Spill Louisiana Trustee Implementation Group Draft Restoration Plan and Environmental Assessment #4: Nutrient Reduction (Nonpoint Source) and Recreational Use	4/10/2018
9976-79-OAR	Response to June 1, 2016 Clean Air Act Section 126(b) Petition from Connecticut	4/10/2018
9976-78-OAR	Review of the Primary National Ambient Air Quality Standards for Oxides of Nitrogen	4/10/2018
9976-77-Region 4	Air Plan Approval and Air Quality Designation; AL; Redesignation of the Pike County Lead Nonattainment Area to Attainment	4/9/2018
9976-03-Region 6	Approval and Promulgation of Implementation Plans; Louisiana; 2008 8-hour Ozone Maintenance Plan Revision for Baton Rouge	4/9/2018
9975-75-OCSPP	Access to Confidential Business Information by [CGI Federal Inc.]	4/9/2018
9975-58-OCSPP	Pesticide Product Registration; Receipt of Applications for New Uses	4/9/2018
9975-56-OCSPP	Pesticide Product Registration; Receipt of Applications for New Active Ingredients	4/9/2018
9975-50-OCSPP	Environmental Modeling Public Meeting; Notice of Public Meeting	4/9/2018
9975-01-OCSPP	Clethodim; Pesticide Tolerances	4/9/2018
9976-68-OEI	EPA's Voluntary Natural Gas STAR Methane Challenge Program/ICR No.2547.01	4/9/2018
9976-71-Region 10	Approval and Promulgation of State Implementation Plans; Alaska: Regional Haze Progress Report	4/6/2018
9976-32-OCSPP	Safer Choice Partner & Stakeholder Summit 2018; Notice of Public Meeting	4/6/2018

9975-57-OCSPP	Receipt of Several Pesticide Petitions Filed for Residues of Pesticide Chemicals in or on Various Commodities	4/6/2018
9976-27-OAR	Proposed Information Collection Request; Comment Request; Data  Reporting Requirements for State and Local Vehicle Emission  Inspection and Maintenance (I/M) Programs	
9976-70-Region 5	Air Plan Approval; Illinois; Regional Haze Progress Report	4/6/2018
9976-63-OLEM	Agency Information Collection Activities; Proposed Collection; Comment Request; Notification of Episodic Releases of Oil and Hazardous Substances (Renewal); EPA ICR No. 1049.14.	4/6/2018
9976-67-OW	Notice of Funding Availability (NOFA) for Applications for Credit Assistance under the Water Infrastructure Finance and Innovation Act (WIFIA) Program	4/6/2018
9976-57-OEI	Hazardous Substance Handling and Storage Procedures and Associated Costs Survey/ICR No.2566.01	4/5/2018
9975-92-Region 6	New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants; Delegation of Authority to New Mexico	4/5/2018
9975-94-Region 6	New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants; Delegation of Authority to New Mexico	4/5/2018
9976-61-OAR	Mid-term Evaluation of Greenhouse Gas Emissions Standards for Model Year 2022-2025 Light-duty Vehicles	4/5/2018
9976-53-Region 5	Proposed CERCLA Cost Recovery Settlement for Central Transport, Inc. Superfund Site, Romulus, Wayne County, Michigan	4/5/2018
9976-47-Region 7	Notice of Proposed Settlement Agreement and Order on Consent for Removal Action by Bona Fide Prospective Purchaser	4/5/2018
9976-25-OAR	Proposed Information Collection Request Renewal; Comment Request; Recordkeeping and Reporting Requirements Regarding the Sulfur Content of Motor Vehicle Gasoline, Gasoline Additives, Denatured Fuel Ethanol and Other Oxygenates, Certified Ethanol Denaturant, and Blender-Grade Pentane	4/5/2018
9976-26-OAR	Alternative Method for Calculating Off-cycle Credits under the Light- duty Vehicle Greenhouse Gas Emissions Program: Applications from Fiat Chrysler Automobiles and Toyota Motor North America	4/5/2018
9976-48-Region 7	Approval and Promulgation of Air Quality Implementation Plans; Missouri; Update to Materials Incorporated by Reference; Correction	4/4/2018
9976-50-Region 7	Air Plan Approval; Iowa; Amendment to the Administrative Consent Order, Grain Processing Corporation, Muscatine, Iowa; Proposa	4/4/2018
9976-01-Region 1	Air Plan Approval; New Hampshire; Infrastructure State Implementation Plan Requirements for the 2012 PM2.5 NAAQS	4/4/2018

# Weekly Report | [ DATE \@ "MMMM d, yyyy" ]

9976-36-Region 1	Air Plan Approval; Vermont; Infrastructure Requirement for the 2010 Sulfur Dioxide National Ambient Air Quality Standard	4/4/2018
	Approval of Nebraska's Air Quality Implementation Plan, Operating	
9976-52-Region 7	Permits Program, and 112(I) Program; Revision to Nebraska	4/3/2018
	Administrative Code	

# Office of Policy

# **Hot Topics**

Number of Actions to OFR this Year:

- Signed by Regions:
  - o Notices: 25
  - o Proposed Rules: 65
  - o Direct Final Rules: 5
  - Withdrawal of Proposed Rule: 1Withdrawal of Direct Final: 3
  - o Final Rules: 72
- Signed by HQ:
  - o Notices: 123
  - o Proposed Rules: 17
  - Withdrawal of Direct Final: 1
  - o Final Rules: 45

Number of Actions to OFR this Week (Apr 6 – Apr 12):

- Signed by Regions:
  - o Notices: 2
  - o Proposed Rules: 5
  - o Direct Final Rules: 1
  - o Withdrawal of Proposed Rule: 0
  - o Withdrawal of Direct Final: 0
  - o Final Rules: 3
- Signed by HQ:
  - o Notices: 18
  - o Proposed Rules: 1
  - o Withdrawal of Direct Final: 0
  - o Final Rules: 6

# Office of Research and Development

#### **Hot Topics**

# New Study Finds Association Between Exposure to Wildland Fire Smoke and Heart and Stroke Related Emergency Room Visits

A new study was published yesterday by the Journal of the American Heart Association that looked for possible associations between daily maximum smoke density (low, medium, and dense) and over a million hospital Emergency Department (ED) visits in northern and central California, over a five-month period in 2015 at a ZIP code level of resolution. The study found a positive association between ED diagnoses for heart, brain, blood vessel, and respiratory disease relative to days without wildland fire smoke exposure. Impacts were greatest on medium and dense smoke days, and among adults 65 years and older. This new study is one of the few to investigate cerebrovascular outcomes explicitly and to find significant associations with exposure to smoke. The publication is a product of a multi-disciplinary collaboration between EPA researchers, the State of California Department of Public Health, and academic partners at the University of California, San Francisco. Environmental and human health impacts of wildland fire continue to capture the attention of state and local governments, their officials and the public, yet sound decisions for many key policy issues related to wildland fire and land management are limited by a lack of sufficient health data, especially for wildfire smoke impacts on common and costly chronic diseases, such as cardiovascular disease. This study demonstrates the value of collaboration in closing knowledge gaps as we meet the needs of the states. There has been significant media interest in the paper, and ORD has been working with OPA to respond to inquiries.

#### NAS IRIS Briefing on Review of Advances Made to the IRIS Process: A Workshop

Yesterday an NAS Committee briefed EPA on the findings of a consensus report, *Review of Advances Made to the IRIS Process: A Workshop*. The report was released to the public after congressional briefings yesterday afternoon. The NAS Committee is encouraged by the steps that EPA has taken, which have accelerated during the last year under new leadership. It is clear that EPA has been responsive and has made substantial progress in implementing National Academies recommendations.

#### **Upcoming Major Decisions and Events**

#### **ORD Executive Council**

The ORD Executive Council will meet on April 19 to discuss a number of topics, including our progress on developing the Strategic Research Action Plans and options to create a more efficient research organization.

#### Wilmington, North Carolina Community Meeting on GenX Results

On April 16, NC State University's Center for Human Health and the Environment will host a community meeting in Wilmington, NC. The purpose of the meeting will be "...to discuss the water results from the GenX exposure study". ORD scientists will attend the meeting to address and discuss their approach and the results from the Cape Fear River study. This study was a collaborative effort led by North Carolina Department of Environmental Quality (NC DEQ). In 2017, ORD reported the results of their analyses for this study to NC DEQ in a series of reports.

#### State of Tennessee Meeting

On April 18<sup>th</sup> ORD and the OAQPS will meet with scientists from the Tennessee Department of Environment & Conservation and Tennessee Department of Health to discuss the results of an ongoing pilot project using U.S. EPA's Environmental Benefits Mapping and Analysis examining the health benefits of historical reductions of O3 precursors in Tennessee.

# **Region 5 State PFAS Meeting**

On April 19, ORD will join Region 5 for a meeting with their State Directors, discussing ongoing EPA research related to PFAS. There will be discussion of state R&D needs, interests and priorities regarding PFAS. States in Region 5 have many PFAS related activities underway at the moment including analysis and cleanups at several Superfund sites and problems with PFAS-related foam on lakes.

#### Office of Water

#### **Hot Topics**

WIFIA Loan, King County, Washington: Today, OW sent forward for the Administrator's signature the loan approval package for the first WIFIA loan to King County, Washington to help finance the Georgetown Wet Weather Treatment Station. The Station will contribute to water quality improvements in the Duwamish River. The loan will provide up to \$134.5 million, financing nearly half of the overall \$275 million investment, and save sewer ratepayers up to \$34 million. OW and OGC briefed the Administrator on the term sheet and loan agreement on Friday April 13th.

Effluent Guidelines (ELG) Program Plan: Next week, OW anticipates announcing the availability of the 2016 Final ELG Program Plan. The Final 2016 Plan identifies one new rulemaking (and the associated schedule) for the Steam Electric Power Generating Point Source Category. EPA has concluded that no additional industries warrant new or revised effluent guidelines at this time. The Plan also announces that EPA is initiating a new study to look holistically at the management of oil and gas extraction wastewater from onshore facilities.

**WOTUS:** This week, EPA and the Department of Army sent to OMB for review the Supplemental Notice of Proposed Rulemaking on "Step 1" of the WOTUS rulemaking process. When published in the Federal Register, this notice will provide the public with additional clarity on the scope of the agencies efforts to implement the President's EO on the definition of WOTUS.

#### **Upcoming Major Decisions and Events**

**Water Week:** Next week is Water Week. OW leadership will be participating in a number of engagements including:

National Association of Clean Water Agencies, Water Environment Federation, Water Research Foundation & WateReuse Association: Next week, Dave will speak at the National Water Policy Fly-In to introduce the U.S. EPA Water Priorities Roundtable discussion with the OW Office Directors. During his remarks, Dave will announce a new rulemaking effort to address blending at publicly owned treatment works. This event is open to the press.

Alaska Federation of Natives: Next week, Lee will speak at Alaska Federation of Natives' Alaska Day Roundtable to discuss policy initiatives. He will be participating in a roundtable with representatives from the U.S. Department of Interior, National Oceanic and Atmospheric Administration, Office of Government Contracting and Business Development, and the U.S. Arctic Research Commission. This event was rescheduled from January and is closed to the press.

**Water Systems Council:** Next week, Lee will address the membership at the Water Systems Council Fly-In, where he will discuss the implementation of the Water Supply Cost Savings Act and efforts to increase water infrastructure funding through the enactment of the Water Infrastructure for Improvements to the Nation Act. This event is closed to the press.

American Water Works Association (AWWA): Next week, OW leadership will attend the AWWA Water Utility Council meeting.